

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NAWAF SALEH ALGAZALI and RAIHAN
DHAIF ALLAH SUHAIL,

Plaintiffs,

vs.

ANTONY BLINKEN, United States Secretary
of State, et al.

Defendants

Case No.: 23-cv-6038 (LGS)

**PLAINTIFFS' MOTION FOR PERMISSION *NUNC PRO TUNC*
TO FILE AN OVERSIZED REPLY MEMORANDUM OF LAW**

Plaintiffs, by and through undersigned counsel, respectfully move this Court for an Order granting permission *nunc pro tunc* to file an oversized Reply Memorandum of Law. Plaintiffs, through Counsel, apologize for the failure to seek leave prior to filing the brief, which was brought on by an error in reading the Court rules and this Court's Order regarding page limitations (See Exhibit A). Had Plaintiffs not made this clerical error, leave to file an oversized memorandum would have been sought well in advance of the filing of the reply brief.

This action before the Court involves numerous constitutional issues and their interplay with questions of regulation, policy, and the Court's subject matter jurisdiction. The issues are highly complex, and involve the Fifth Amendment's Due Process and Equal Protection clauses, as well as issues of statutory construction that have not yet been addressed in full by the Second Circuit. For the convenience of the Court, rather than simply citing to the law, we included the statutory language and cites. The facts supporting this Motion are complicated, detailed and wide-ranging, and the statutes and policies implicated have multiple conflicting interpretations.

The Defendants' Motion to Dismiss has likewise raised many complicated factual and legal issues.

To adequately and thoroughly brief the Court on these issues and facts, the Plaintiffs need to file a Memorandum of Law which exceeds twenty (20) pages. Plaintiffs are therefore requesting permission *nunc pro tunc* to file a Memorandum of Law that will not exceed thirty-six (36) pages.

Dated: January 9, 2024

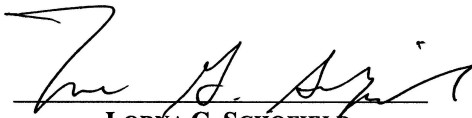
Respectfully submitted,

s/Julie A. Goldberg, Esq.
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Counsel for Plaintiffs

Plaintiffs' request at Dkt. 31 to amend the Complaint is **GRANTED**. The Government's request at Dkt. 30 that any amendment be filed within 14 days is **GRANTED**. By **January 25, 2024**, Plaintiffs shall file any amended complaint and attach a redline. The order at Dkt. 33 directing Plaintiffs to refile their reply within the page limitations is **VACATED**.

The Clerk of Court is respectfully directed to close the motion at Dkt. 32.

Dated: January 11, 2024
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE